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HUMAN RIGHTS COMMITTEE
Fiftieth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT

Comments of the Human Rights Committee

Cameroon

1. The Committee considered the second periodic report of Cameroon (CCPR/C/63/Add.1) at its 1306th to 1308th meetings (CCPR/C/SR.1306-SR.1308), held on 30 and 31 March 1994, and adopted 1/ the following observations:

A. Introduction

2. The Committee thanks Cameroon for its report and welcomes the Government's willingness to pursue the dialogue entered into with the Committee. The report, although summary and rather theoretical, otherwise conforms to the Committee's guidelines regarding the form and contents of periodic reports (CCPR/C/20/Rev.1), and the oral comments were a valuable complement to the information given in writing. The replies to the questions of Committee members by a competent high-level delegation helped to make the dialogue between the delegation and the Committee frank and fruitful.

1/ At its 1316th meeting (fiftieth session), held on 7 April 1994.

B. Factors and difficulties impeding the application of the Covenant

3. The ignorance of individuals as to their rights impedes the enjoyment thereof and contributes to their failure to provide remedies for violation of those rights. Accordingly, there remain many unaddressed human rights violations. The survival of certain traditions and customs sometimes constitutes an obstacle to the application of the Covenant, particularly with regard to equality of men and women.

C. Positive aspects

4. The establishment of the National Committee for Human Rights and Freedoms represents a notable advance in the promotion of human rights in Cameroon.

5. The acts passed in 1990, in particular Act No. 90-56 of 19 December 1990 concerning political parties, establishing a multiparty system, constitute an encouraging factor for the implementation of the Covenant.

6. The detailed information given orally by the delegation on the situation of minorities in Cameroon is indicative of the positive approach of the country's authorities to the implementation of article 27 of the Covenant.

D. Principal subjects of concern

7. The Committee regrets the fact that the proclamation of a state of emergency at the time of the events that took place in the country's Nord-Ouest province in 1992 was not notified in the correct manner to the Secretary-General of the United Nations in accordance with the requirements of article 4 of the Covenant.

8. The Committee deplores that the State party has not embarked on all the necessary reforms to combat the factors still impeding equality of men and women.

9. The Committee is concerned that, in spite of a recent reduction, the number of offences punishable by the death penalty in the Criminal Code is still excessive, in particular aggravated theft or traffic in toxic or dangerous wastes, and at the number of death sentences handed down by the courts.

10. It deplores the infringements of the right to life by representatives of the security forces, the Army and even paramilitary groups in respect of civilians, not only during the events of 1992 but also in March 1993 and, more recently, in March 1994.

11. The Committee deplores the multiple cases of torture, ill-treatment, extrajudicial execution and illegal detention, suffered in particular by journalists and political opponents.

Torture and ill-treatment seem to be practised systematically by the security forces, and on several occasions their brutality, has caused the death of the victims.

12. It also deplores the fact that such brutality is practised in prisons, as well as non-respect for the provisions of article 10 of the Covenant in detention centres where men and women, convicted and unconvicted prisoners, adult and juvenile offenders are held in the same, generally insalubrious, cells.

13. The Committee notes that freedom of expression is not guaranteed, owing to the requirement of prior deposit of all publications, censorship and the control exercised by the authorities over the press, radio and television.

14. The Committee questions the independence of the judiciary; in particular, the composition of the Supreme Council of Justice does not seem such as to guarantee respect for this principle.

15. The Committee expresses its regret at the difficulties encountered by workers in exercising freely and peacefully their rights under articles 21 and 22 of the Covenant.

16. The Committee is concerned about the conditions in which the presidential elections of 11 October 1992 were held, and, in particular, it expresses its concern at the numerous allegations of fraud made during the different ballots.

E. Suggestions and recommendations

17. The Committee recommends that the Cameroonian authorities avail themselves of the constitutional reform to incorporate in the national legal system all the rights guaranteed by the Covenant, and that each article of the draft be systematically checked against the provisions of the Covenant.

18. Measures should be taken to organize free, equitable and transparent elections.

19. The Committee invites the Government to disseminate the Covenant by culturally appropriate means, so that everyone has a knowledge of his rights, whatever his place of residence and his situation in Cameroonian society.

20. The Committee urges the authorities of Cameroon to revise the Criminal Code with a view to restricting the number of offences carrying the death penalty.

21. The Committee strongly recommends that the Government take all necessary measures to prevent summary executions, torture, ill-treatment and illegal detention, that all such cases be investigated in order to bring those suspected of having committed such acts before the courts, that those found guilty be punished and that the victims be compensated.

22. The Committee invites the Cameroonian authorities to modify their legislation applicable to administrative detention so as to make it limited in time and subject to appeal in accordance with article 9, paragraph 4, of the Covenant. The Committee urges that the Cameroonian authorities require law enforcement officers to have a strict respect for the provisions of article 9 of the Covenant, in order to put an end to arbitrary or illegal detention, by organizing specific training for them if necessary.

23. The Committee invites the Cameroonian authorities to adopt as a matter of urgency the measures necessary to ensure that in prisons and detention centres all the provisions of article 10 of the Covenant are fully respected.

24. Measures should be taken, if necessary in the form of a constitutional reform, to guarantee the independence and impartiality of the judiciary, in accordance with article 14, paragraph 1, of the Covenant.

25. The Committee invites the Government to improve the situation of women with a view to achieving the effective application of article 3 of the Covenant, in particular by adopting the necessary educational and other measures to overcome the weight of certain customs and traditions and by proceeding as soon as possible with its plan to amend the Family Code.

26. The Committee recommends that the Cameroonian authorities remove censorship once and for all and amend the Act of 19 December 1990 with a view to ensuring its conformity with article 19 of the Covenant.